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9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 JAMES IIAMS, individually and AMANDA
MATTHEWS, individually,

12 Plaintiffs,

13 vs.

14 LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, a political subdivision of the
15 State of Nevada; SERGEANT JUSTIN
BRYERS; OFFICER RICHARD NELSON;
16 OFFICER JONATHAN CARRINGTON;
OFFICER LUKAS FERRIS; and DOE
17 OFFICERS I-XX,

18 Defendants.
19

CASE NO.: 2:18-cv-00231-RFB-CWH

**STIPULATION TO WITHDRAW
LVMPD'S MOTION TO DISMISS AND
VACATE THE HEARING**

20 Defendant Las Vegas Metropolitan Police Department ("LVMPD"), by and through its
21 counsel, Lyssa Anderson, Esq., of the law firm of Kaempfer Crowell, and James Iiams and
22 Amanda Matthews ("Plaintiffs"), by and through their counsel, Jared Richards, Esq. of Clear
23 Counsel Law Group hereby stipulate and agree that LVMPD will withdraw its motion to dismiss
24 (ECF No. 12) and that the hearing on the motion scheduled for January 22, 2019 at 2:00 pm be

1 vacated. LVMPD reserves the right however, to advance the same arguments in any future
2 dispositive motions should those arguments be relevant.

3 LVMPD's motion to dismiss was based on LVMPD's argument that the complaint did
4 not allege sufficient facts to state a *Monell* claim and that the allegations were conclusory. Since
5 filing the motion, the parties have engaged in extensive discovery. Given that discovery is almost
6 completed (the current discovery deadline is February 1, 2019), the parties no longer believe a
7 hearing on the motion would be an efficient use of the Court's or parties' time and resources.
8 Any arguments LVMPD made in the motion to dismiss may be advanced again—if necessary—
9 in a future dispositive motion.

10 DATED this 17th day of January, 2019.

11 KAEMPFER CROWELL

CLEAR COUNSEL LAW GROUP

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13 By: /s/ Lyssa S. Anderson
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By: /s/ Jared Richards
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18 **ORDER**

19 IT IS SO ORDERED.

20
21 

22 RICHARD F. BOULWARE, II
23 United States District Judge
24 DATE: January 17, 2019